

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 38
96TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, May 5, 2011, with recommendation that the Senate Committee Substitute do pass.

0119S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 71.220, RSMo, and to enact in lieu thereof two new sections relating to jails.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 71.220, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 71.220 and 221.503, to read as
3 follows:

71.220. 1. The various cities, towns and villages in this state, whether
2 organized under special charter or under the general laws of the state, are hereby
3 authorized and empowered to, by ordinance, cause all persons who have been
4 convicted and sentenced by the court having jurisdiction, for violation of
5 ordinance of such city, town or village, whether the punishment be by fine or
6 imprisonment, or by both, to be put to work and perform labor on the public
7 streets, highways and alleys or other public works or buildings of such city, town
8 or village, for such purposes as such city, town or village may deem
9 necessary. And the marshal, constable, street commissioner, or other proper
10 officer of such city, town or village, shall have power and be authorized and
11 required to have or cause all such prisoners as may be directed by the mayor, or
12 other chief officer of such city, town or village, to work out the full number of
13 days for which they may have been sentenced, at breaking rock, or at working
14 upon such public streets, highways or alleys or other public works or buildings
15 of such city, town or village as may have been designated. And if the punishment
16 is by fine, and the fine be not paid, then for [every ten dollars of such judgment]

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 a portion of such judgment that is equal to the greater of the actual
18 daily cost of incarcerating the prisoner or the amount the municipality
19 is reimbursed by the state for incarcerating the prisoner, the prisoner
20 shall work one day. And it shall be deemed a part of the judgment and sentence
21 of the court that such prisoner may be worked as herein provided.

22 2. When a fine is assessed for violation of an ordinance, it shall be within
23 the discretion of the judge, or other official, assessing the fine to provide for the
24 payment of the fine on an installment basis under such terms and conditions as
25 he may deem appropriate.

221.503. 1. As soon as reasonably possible, but in no case more
2 than five hours after a person who has been convicted of murder in the
3 first degree or a dangerous felony as defined in section 556.061 or who
4 is being held on suspicion of having committed murder in the first
5 degree or a dangerous felony as defined in section 556.061 has escaped
6 from a municipal detention facility, county jail, regional jail, or private
7 jail, the chief law enforcement official responsible for such jail or
8 detention facility or the chief administrator in the case of a private jail
9 shall cause notification of the escape to be made to the Missouri
10 uniform law enforcement system (MULES).

11 2. The notification required by this section may include the name
12 of the escaped individual, any facts relevant to identifying the escaped
13 individual, including but not limited to, a physical description, a
14 photograph or video of such individual, a description of any mode of
15 transportation such individual is believed to be using, and a
16 description of any person believed to be assisting such person in the
17 escape, if any. The notification shall also include the crimes for which
18 the person was incarcerated in the jail or detention facility and contact
19 information for the jail or detention facility which can be used by any
20 person to report any information concerning the whereabouts of the
21 escaped person.

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